

**UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE**

CHAMBERS OF  
JOSEPH J. FARNAN, JR.  
JUDGE

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June 22, 2005

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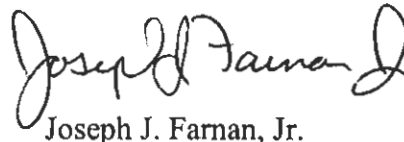
RE: Magten Asset Mgmt. Corp. v. Paul Hastings Janofsky & Walker LLP,  
C. A. No. 04-1279 JJF; Magten Asset Mgmt. Corp. v. NorthWestern  
Corp., C.A. No. 04-1389 JJF; Magten Asset Mgmt. Corp. v.  
NorthWestern Corp., C.A. No. 04-1508 JJF

Dear Counsel:

I have the letters submitted by counsel and Mr. Seitz concerning the recently completed mediation effort. I believe the court ordered mediation was not successful based on the merits of the parties' positions, and therefore, I have concluded the appeals should proceed.

However, if the parties advise that they desire to engage in further mediation efforts outside the Court's program; I will, upon agreement of all parties involved, stay the appeal while the parties mediate privately.

Sincerely,



Joseph J. Farnan, Jr.

JJFjr:dk

cc: Collins J. Seitz, Jr., Special Master  
Clerk, U.S. District Court